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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/552,560	10/11/2005	Mark Ryan Mayernick	PU030091	2556
24498 7590 09/26/2007 JOSEPH J. LAKS, VICE PRESIDENT THOMSON LICENSING LLC PATENT OPERATIONS PO BOX 5312 PRINCETON, NJ 08543-5312			EXAMINER HOM, SHICK C	
			ART UNIT	PAPER NUMBER
			2616	
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			09/26/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/552,560

Applicant(s)

MAYERNICK, MARK RYAN

Examiner

Shick C. Hom

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

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DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Feuerstraeter et al. (2003/0058894) in view of Pham et al. (5,524,253).

Regarding claims 1 and 10-11:

Feuerstraeter et al. disclose a router comprising:
processor, memory, and support circuitry having a WAN/LAN port

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manager (paragraph 0027 recite the processor, memory, and support circuitry, and paragraph 0033 recite the device being auto-configured to operate in LAN or WAN space depending upon the port type);

a LAN interface; a WAN interface; and a plurality of physical ports selectively connectable to said LAN interface or said WAN interface (Fig. 1 shows the LAN and WAN interfaces and ports connecting the LAN or WAN interface), wherein

said WAN/LAN port manager controls whether each of said plurality of physical ports is coupled to said LAN interface or said WAN interface (paragraph 0043 recite means for controlling the deserializer configuration for LAN or WAN).

Regarding claim 2-9 and 14-17:

Feuerstraeter et al. disclose storing said mapping assignments (paragraphs 0025 recite means for storing reconfiguration information and paragraph 0027 recite storage means used for performing the operation of the invention) as in claim 2;

wherein said network is a Wide Area Network (WAN) (paragraph 0002 recite the WAN) as in claim 3;

wherein said network is a Local Area Network (LAN) prior to said step of implementing and is a Wide Area Network (WAN) after

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said step of implementing (paragraph 0035 recite the port type being LAN and WAN found at the physical layer) as in claims 4-5;

wherein said message is implemented using an Simple Network Management Protocol (SNMP) SET command and wherein said message is implemented using HyperText Transfer Protocol (HTTP) data (paragraph 0041 recite message being defined by Internet standard) as in claims 6-7;

wherein said message is created after detecting at least one hardware switch setting change (paragraph 0035 recite hardware means) as in claim 8;

wherein said message is implemented using a router proprietary command message (paragraphs 0034-35 recite the routers providing command message) as in claim 9;

wherein said implementing step changes the physical port from a WAN type physical port to a LAN type physical port or from the LAN type physical port to the WAN type physical port and wherein said implementing step alters an initial designation of the physical port by a manufacturer of the router as one of a LAN type port or a WAN type port to one of the WAN type port or the LAN type port, respectively (paragraph 0033 recite the device being auto-configured to operate in LAN or WAN space depending upon the port type; Fig. 1 shows the LAN and WAN interfaces and ports connecting the LAN or WAN interface; and

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paragraph 0043 recite means for controlling the deserializer configuration for LAN or WAN clearly anticipate the implementing step alters the physical port as one of a LAN type port or a WAN type port) as in claims 14-17.

Feuerstraeter et al. disclose all the subject matter of the claimed invention with the exception of whereby the WAN/LAN port manager selectively controls coupling to the LAN or WAN interface responsive to a configuration message as in claims 1 and 10-11; wherein the implementing means changes the physical port from a secure type physical port to a non-secure type physical port or from the non-secure type physical port to the secure type physical port as in claim 12; and wherein said implementing means changes the physical port from a secure type physical port to a non-secure type physical port or from the non-secure type physical port to the secure type physical port as in claim 13.

Pham et al. from the same or similar fields of endeavor teach in the background of the invention that it is known to provide selectively controls coupling to the LAN or WAN interfaces responsive to a configuration message (col. 2 lines 40-60 recite the message processing system in the network layer being used to integrate new networks such as across local or wide area networks into a common interface clearly anticipate

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the configuration message) as in claims 1 and 10-11; wherein the implementing means changes the physical port from a secure type physical port to a non-secure type physical port or from the non-secure type physical port to the secure type physical port; and wherein said implementing means changes the physical port from a secure type physical port to a non-secure type physical port or from the non-secure type physical port to the secure type physical port (col. 13 lines 22-47 recite the manager configuring for system security clearly reads on changing port secure) as in claims 12-13.

Thus, it would have been obvious to the person having ordinary skill in the art at the time the invention was made to provide whereby the WAN/LAN port manager selectively controls coupling to the LAN or WAN interface responsive to a configuration message; wherein the implementing means changes the physical port from a secure type physical port to a non-secure type physical port or from the non-secure type physical port to the secure type physical port; and wherein said implementing means changes the physical port from a secure type physical port to a non-secure type physical port or from the non-secure type physical port to the secure type physical port as taught by Pham et al. in the router and method of Feuerstraeter et al. The motivation for using selectively

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controls coupling of the LAN or WAN interface responsive to a configuration message; wherein the implementing means changes the physical port from a secure type physical port to a non-secure type physical port or from the non-secure type physical port to the secure type physical port; and wherein said implementing means changes the physical port from a secure type physical port to a non-secure type physical port or from the non-secure type physical port to the secure type physical port as taught by Pham et al. in the communication router and method of Feuerstraeter et al. being that it provides more efficiency for the system since the system can selectively controls coupling of interfaces using a message from a single point and providing the desirable added feature of changing physical port secure type from that point.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this

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action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shick C. Hom whose telephone number is 571-272-3173. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Pham Chi can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Sh SH


CHI PHAM
SUPERVISORY PATENT EXAMINER
9/24/07